

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**

THE HONOURABLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.16186 of 2007

DATED 21-8-2007

BETWEEN

New Shanthi Automobiles,
Represented by its Proprietor
M.A.Hakeem.

.. Petitioner

And

The Chief Commissioner,
Land Administration,
Hyderabad and 4 others.

.. Respondents

THE HONOURABLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.16186 of 2007

Oral Order:

The petitioner is a proprietary concern. Mr.M.A.Hakeem, its proprietor, occupied an extent of 31 guntas in survey No.403/7 situated at Rajampet of Sangareddy town. He is running a motor mechanic shop there. He made a representation to the District Collector in October, 2006 requesting alienation of the said land for market value in accordance with G.O.Ms.No.138, Revenue dated 9.2.2004. In response to the same, the third respondent sent a communication to the fourth respondent informing that the land in Survey No.403/7 is a very valuable land situate at a distance of 100 meters from N.H.9 and, therefore, the same cannot be alienated. The fourth respondent was also directed to look into the matter and send proposals for alienation

of alternate land. Though a copy of the same was not specifically marked to the petitioner, he approached the first respondent by making a representation on 20.7.2007. The same is pending but still the petitioner chose to file the present writ petition seeking a writ of mandamus declaring the action of the second respondent in refusing alienation as illegal and arbitrary.

The learned Assistant Government Pleader brought to the notice of this Court that the Government issued orders in G.O.Ms.No.635 dated 2.7.1990 proposing amendments to Andhra Pradesh (Telangana Area) Alienation of State Lands and Land Revenue Rules, 1975 whereunder the power to alienate the land up to market value of Rs.5,00,000/- or up to Ac.5.00, whichever is less, is given to the Commissioner of Land Revenue. However, no material is placed before this Court regarding the present market value of the land in Survey No.403/7. Be that as it is, now that the petitioner has made a representation to the Commissioner, he may look into the matter if it is within his power, take a decision or send necessary proposals to the Government for appropriate action. After receiving the proposals, if any, the Government shall consider the matter expeditiously.

The writ petition, with the above observations, is accordingly disposed of.

V.V.S.RAO,J

Dated 21.8.2007

NOTE:

Dispatch a copy of this order to the
Government represented by its
Principal Secretary, Revenue Department,
Secretariat, Hyderabad.

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